

DUNCAN BARR, Bar No. 49259
MOLLY A. KUEHN, Bar No. 230763
O'CONNOR, COHN, DILLON & BARR
2405 16th Street
San Francisco, California 94103
Telephone: (415) 281-8888
Facsimile: (415) 503-4117
E-mail: dbarr@ocdb.com

Attorneys for Defendant
BAYER CORPORATION

[List of Attorneys Continued on Following Page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LANCE T. RICE, a minor, by Michelle Rice, his
mother and next friend, and by Eric J. Rice, his
father and next friend, a resident of Indianapolis,
Indiana,

Plaintiff,

v.

BAYER CORPORATION, an Indiana corporation,
successor to CUTTER BIOLOGICAL, a California
Corporation; BAXTER HEALTHCARE
CORPORATION, a Delaware corporation, and its
HYLAND DIVISION; ARMOUR
PHARMACEUTICAL COMPANY, INC., a
Delaware corporation and ALPHA
THERAPEUTIC CORPORATION, a California
corporation,

Defendants.

CASE NO.: CV-07-2680 SC

E-FILED

**STIPULATION TO STAY
PROCEEDINGS**

MARILYN MOBERG, Bar No. 126895
REED SMITH LLP
355 South Grand Avenue, Suite 2900
Los Angeles, California 90071
Telephone: (213) 457-8000
Facsimile: (213) 457-8080

Attorneys for Defendant
BAXTER HEALTHCARE CORPORATION

1 CATHERINE M. VALERIO BARRAD, Bar No. 168897
2 SIDLEY AUSTIN BROWN & WOOD
3 555 West Fifth Street
4 Los Angeles, CA 90013-1010
5 Telephone: (213) 896-6000
6 Facsimile: (213) 896-6600

7 Attorney for Defendant
8 ARMOUR PHARMACEUTICAL COMPANY

9 KEVIN STACK, Bar No. 72782
10 KNAPP, PETERSEN & CLARKE
11 500 North Brand Boulevard, 20th Floor
12 Glendale, California 91203-1904
13 Telephone: (818) 547-5000
14 Facsimile: (818) 547-5329

15 Attorneys for Defendant
16 ALPHA THERAPEUTIC CORPORATION

17 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

18 IT IS HEREBY STIPULATED by and between counsel of record for Plaintiff LANCE T. RICE
19 (“Plaintiff”), and Defendants BAYER CORPORATION, BAXTER HEALTHCARE
20 CORPORATION, ARMOUR PHARMACEUTICAL COMPANY, and ALPHA THERAPEUTIC
21 CORPORATION (“Defendants”), in the action entitled *Lance T. Rice v. Bayer Corporation, et al.*
22 (CV-07-2680 SC) that all pretrial proceedings in the Northern District of California shall be stayed
23 until the Judicial Panel on Multidistrict Litigation completes the process currently in progress for
24 transferring this case to MDL-986, currently pending before The Honorable John F. Grady in the
25 Northern District of Illinois. If the Panel orders transfer, the stay shall remain in effect. If there is no
26 transfer, or upon remand following transfer, this stay shall expire 30 days following the Panel order
27 terminating the transfer proceedings or remanding the case. This stipulation may be signed by the
28 parties in counterpart.

1 IT IS SO STIPULATED.

2 Dated: June 14, 2007

O'CONNOR, COHN, DILLON & BARR

3
4
5 BY:



Duncan Barr, Esq.
Molly A. Kuehn, Esq.

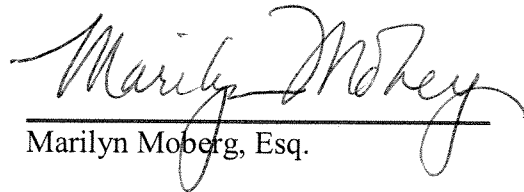
6
7 Attorneys for Defendant,
8 BAYER CORPORATION

9 IT IS SO STIPULATED.

10 Dated: June 14, 2007

REED SMITH LLP

11
12
13 BY:



Marilyn Moberg, Esq.

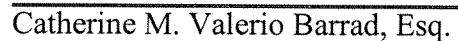
14
15 Attorneys for Defendant,
16 BAXTER HEALTHCARE CORPORATION

17 IT IS SO STIPULATED.

18 Dated: June ___, 2007

SIDLEY AUSTIN BROWN & WOOD

19
20
21 BY:



22 Attorneys for Defendant,
23 ARMOUR PHARMACEUTICAL COMPANY

1 IT IS SO STIPULATED.

2 Dated: June ___, 2007

O'CONNOR, COHN, DILLON & BARR

5 BY: _____

Duncan Barr, Esq.
Molly A. Kuehn, Esq.

7 Attorneys for Defendant,
8 BAYER CORPORATION

9 IT IS SO STIPULATED.

10 Dated: June ___, 2007

REED SMITH LLP

13 BY: _____

Marilyn Moberg, Esq.

15 Attorneys for Defendant,
16 BAXTER HEALTHCARE CORPORATION

17 IT IS SO STIPULATED.

18 Dated: June 14, 2007

SIDLEY AUSTIN BROWN & WOOD

20 BY:  _____

Catherine M. Valerio Barrad, Esq.

22 Attorneys for Defendant,
23 ARMOUR PHARMACEUTICAL COMPANY

1 IT IS SO STIPULATED.

2 Dated: June 14, 2007

3 **KNAPP PETERSEN & CLARKE**

4
5 BY:

Kevin J. Stack
6 Kevin J. Stack, Esq.

7 Attorneys for Defendant,
8 ALPHA THERAPEUTIC CORPORATION

9 IT IS SO STIPULATED.

10 Dated: June ___, 2007

11 **LIEFF, CABASER, HEIMANN & BERNSTEIN**

12
13
14 BY:

15 Elizabeth J. Cabraser, Esq.
16 Heather A. Foster, Esq.
17 Richard M. Heimann, Esq.

18 Attorneys for Plaintiff,
19 LANCE T. RICE

20 All pretrial proceedings in the Northern District of California shall be stayed until the Judicial
21 Panel on Multidistrict Litigation completes the process currently in progress for transferring this case
22 to MDL-986. If there is no transfer, or upon remand following transfer, this stay shall expire 30 days
23 following the Panel order denying transfer or remanding the case.

24 IT IS SO ORDERED,

25 Dated June ___, 2007

26 BY:

27 Hon. Samuel Conti

1 IT IS SO STIPULATED.

2 Dated: June ___, 2007

3 **KNAPP PETERSEN & CLARKE**

4
5 BY: _____

6 Kevin J. Stack, Esq.

7 Attorneys for Defendant,
8 ALPHA THERAPEUTIC CORPORATION

9 IT IS SO STIPULATED.

10 Dated: June 15, 2007

11 **LIEFF, CABASER, HEIMANN & BERNSTEIN**

12
13
14 BY:  _____

15 Elizabeth J. Cabraser, Esq.
16 Heather A. Foster, Esq.
17 Richard M. Heimann, Esq.

18 Attorneys for Plaintiff,
19 LANCE T. RICE

20 All pretrial proceedings in the Northern District of California shall be stayed until the Judicial
21 Panel on Multidistrict Litigation completes the process currently in progress for transferring this case
22 to MDL-986. If there is no transfer, or upon remand following transfer, this stay shall expire 30 days
23 following the Panel order denying transfer or remanding the case.

24 IT IS SO ORDERED,

25 Dated June ___, 2007

26 BY: _____

27 Hon. Samuel Conti

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of June 2007, I caused to be served a true and correct copy of the foregoing document on the following counsel of record pursuant to ECF as to Filing Users and by Federal Express, postage prepaid, pursuant to Local Rule 5.5 as to any party who is not a Filing User or represented by a filing user:

SERVICE LIST

Elizabeth J. Cabraser, Esq. Robert J. Nelson, Esq. Morris A. Ratner, Esq. Fabrice N. Vincent, Esq. LIEFF, CABASER, HEIMANN & BERNSTEIN 275 Battery Street, 30 th Floor San Francisco, CA 94111-3399	COUNSEL FOR PLAINTIFF Tel: 415 / 956-1000 Fax: 415 / 956-1008
Sara Gourley, Esq. Tamar B. Kelber, Esq. SIDLEY, AUSTIN, BROWN & WOOD One South Dearborn Street Chicago, California 60603	COUNSEL FOR ARMOUR PHARMACEUTICAL COMPANY Tel: 312 / 853-7000 Fax: 312 / 853-7036
Rick Berkman, Esq. DECHERT LLP Cira Center 2929 Arch Street Philadelphia, PA 19104	COUNSEL FOR BAXTER HEALTHCARE CORPORATION Tel: 215 / 994-4000 Fax: 215 / 655-2684
Kevin J. Stack, Esq. KNAPP PETERSEN & CLARKE 500 North Brand Blvd., 20th Floor Glendale, California 91203-1904	COUNSEL FOR ALPHA THERAPEUTIC CORPORATION Tel: 818 / 547-5000 Fax: 818 / 547-5329

/s/ Duncan Barr
Duncan Barr, Esq.